IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

NOTICE OF MOTION NO.46 OF 2007
IN
SUIT NO.72 OF 2006
IN
PETITION NO.760 OF 2006

Mrs.Kokila Jagdish Shah ...Petitioner
V/s.
Rohit Trambaklal Maniar ...Respondent

Mr.Rahul Moghe, Advocate, for the Petitioner.

Mr.Raj Patel, Advocate, i/b. Yatin Shah, for the Respondent.

CORAM : S.J. VAZIFDAR, J.

DATE : 24TH AUGUST, 2007.

P.C. :

1. It is agreed between the parties that there is no objection to the Will. The Will is not challenged. In the circumstances, the prayer for grant of probate in accordance with law can be granted.

2. Needless to add, however, that grant of the probate does not determine any questions regarding the title to the properties which are the subject matters of the Will.

3. With the aforesaid clarifications, the Notice of Motion is made absolute in terms of prayer (b).

4. Objection as regards drawn-up decree is

dispensed with.